David W. Evans (Bar No. 79466) Pamela B. Shafer (Bar No. 194959) HAIGHT BROWN & BONESTEEL LLP 71 Stevenson Street, 20th Floor San Francisco, California 94105-2981 Telephone: 415.546.7500 Facsimile: 415.546.7505 5 Attorneys for Defendant American Modern Home Insurance Company б 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 JESUS LOPEZ, 11 Case No. c 06-07768 cw 12 Plaintiff, STIPULATION AND ORDER CAPPING DAMAGES AND REMANDING TO 13 STATE COURT AMERICAN MODERN HOME INSURANCE COMPANY and DOES 1 TO 100. 15 Defendant. 16 17 The parties hereby stipulate to the following: 18 Plaintiff waives any recovery for any and all damages, including but not limited to special, general and punitive damages, in excess of \$50,000. 19 20 The case is to be remanded back to the Superior Court of California, County of 21 Sonoma, Case No. SCV 239736. Dated: January 3, 2007 22 Law Office of Charles A. Davis 23 24 By: Charles A. Davis 25 Attorneys for Plaintiff 26 27 28 LAW OFFICES JCHT, BROWN & INESTERL LLP. AM99-0000091 Sun Francisco 3209816.1 1

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1 2	Dated: January 3, 2006	HAIGHT BROWN & BONESTEEL LLP
3		By: Mynela peneter
4		David W. Evans Pamela B. Shafer
5		Attorneys for Defendant American Modern Home Insurance Company
б		Modern Rome Insurance Company
7	The court, having reviewed the stipulation	n of the parties, and good cause appearing
8	therefore, rules as follows:	n of the parties, and good cause appearing
9	IT IS HEREBY ORDERED that:	
10		and all damages, including but not limited to
1)	special, general and punitive damages,	in excess of \$50,000
12	• The case is to be remanded back to the Superior Court of California, County of	
13	Sonoma, Case No. SCV 239736	Superior Count of Camornia, County of
14		0
15 r	1/8/07 Dated:	Cardielen
16		Judge Claudia Wilken
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